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February 16, 2006

## FACSIMILE TRANSMISSION

**FAXED**COPY RECEIVED:  
FEB 16 2006U.S. PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

**TO:** Mr. Harry Horton,  
U.S. Patent and Trademark Office,  
**FAX NUMBER:** (571) 273-4617  
**FROM:** Jim Piotrowski

NUMBER OF PAGES TRANSMITTED (including this cover page) 7

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PLEASE CONTACT ALIX, YALE & RISTAS, LLP.CONFIRMATION COPY TO FOLLOW  YES  NO

Guy D. Yale  
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Clifford P. Kelly  
James E. Piotrowski  
Thomas J. Menard  
Benjamin Y. Agrest  
Thomas A. Hatfield

**Re:** Appeal Brief Supplement  
**Title:** Paper And Related Products Of Improved Wet Expansion Profile  
**Inventor(s):** Alan Wightman et al  
**App. No.:** 09/869,745  
**Docket No.:** DEXNON/095/PC/US  
**App. No.:** 09/869,745

Dear Mr. Horton,

Thank you for your phone call today. As per that phone call I am sending a replacement page 2 and new appendix separation pages.

COUNSEL  
Diane F. Covello

New page 2 changes the titles for existing Appendices A-D to reflect the Claims appendix, Evidence appendix and Related proceedings appendix headings recited in 37 CFR §41.37. Note that there is no change to content or organization of the existing appendices, e.g. Appendix A as filed is still Appendix A in new page 2. I have also included new separators for the existing appendices reflecting the changed titles.

If you would like me to send clean copies of these sheets by mail or email or if you have any other concerns please feel free to contact me.

Sincerely,

Jim Piotrowski

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AYR fax 10-03

- b. The Board should withdraw this rejection of claims 26-27 and 40-41.
- 5. The Examiner has failed to establish a *prima facie* case of obviousness against claim 29 for additional reasons.

C. THE EXAMINER HAS FAILED TO ADDRESS APPELLANT'S EVIDENCE OF NONOBVIOUSNESS.

D. THE EXAMINER HAS RESORTED TO IMPERMISSIBLE HINDSIGHT TO FIND APPELLANTS CLAIMS OBVIOUS OVER THE COMBINED ROSE AND ITO REFERENCES.

**VIII. CLAIMS APPENDIX (A) CLAIMS INVOLVED IN THE APPEAL**

**IX. EVIDENCE APPENDIX (B) INTERNATIONAL PUBLICATION NO. WO 00/40092**

**EVIDENCE APPENDIX (C) EXAMINER SEARCH NOTES FOR U.S. PATENT APPLICATION NO. 09/869,745 DOWNLOADED FROM PTO PAIR SYSTEM.**

**EVIDENCE APPENDIX (D) COPIES OF THE ASSIGNMENT OF THIS INVENTION AND NAME CHANGE OF THE REAL PARTY IN INTEREST.**

**X. RELATED PROCEEDINGS APPENDIX      NONE SUBMITTED**

The final page of section VII bears the signature of Appellant's attorney.

The present application is a U.S. National Phase entry of International Patent Application No. PCT/GB99/04418, which was published on July 13, 2000 as International Publication No. WO 00/40092. The page and line numbers used in this brief are taken from the above International Publication No. WO 00/40092. A copy of this International Publication is enclosed as APPENDIX B for the Board's convenience.

**I. REAL PARTY IN INTEREST**

This application was assigned from the inventors to Ahlstrom Dexter LLC, a Delaware Corporation having a principal place of business at 230 Park Avenue, Suite 2215, New York, NY 10169 and a place of business at Two Elm Street, Windsor Locks, CT

**VIII. CLAIMS APPENDIX (A)      CLAIMS INVOLVED IN THE APPEAL**

**IX. EVIDENCE APPENDIX (B) INTERNATIONAL PUBLICATION NO. WO 00/40092**

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